
Appeal Decision

Site visit made on 1 October 2020

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2020

Appeal Ref: APP/A5270/D/20/3253857

17 Chatsworth Gardens, Acton, London W3 9LN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr I Khurshid against the decision of the Council of the London Borough of Ealing.
 - The application Ref 200280HH, dated 24 January 2020, was refused by notice dated 19 March 2020.
 - The development proposed is the erection of a single story rear extension.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. The Council has referred to a number of discrepancies with regard to the plans and to the absence of drawings that would illustrate the front of the appeal property. Nevertheless, I am satisfied that the details of the appeal scheme as shown on the plans and set out in the written evidence allow a reasonable assessment of the development sought.

Main issues

3. The main issues are the effect of the proposed development firstly, on the character and appearance of the local area; secondly, on the living conditions of the occupiers of 15 Chatsworth Gardens with particular regard to outlook and sense of enclosure; and thirdly, whether the proposal would provide satisfactory living conditions for the occupiers of the appeal property with reference to private garden space.

Reasons

Character and appearance

4. The proposal is to primarily to erect a single storey extension mainly at the back of the appeal property, which is a semi-detached house in a predominantly residential area. The plans also show that a different finish is proposed to the rear elevation of the host building and that the timber balustrade attached to the back wall at first floor level is to be removed.
5. The new addition would extend across the full width of the plot and therefore exceed the width of the main house. It would project outwards from the main rear wall of No 17 for a considerable depth. The proposal would also wrap

around a corner of the appeal property and infill the rear-most part of the narrow corridor that currently provides access along the side of the building.

6. In doing so, the proposal would widen the built form of No 17, significantly enlarge its footprint and noticeably add to its scale, mass and depth. As a result, it would appear as an overly large and wide extension that would fail to respect the original form, traditional style and the proportions of the host building. Furthermore, due to its considerable size and mass, the proposal would visually dominate the rear façade. Consequently, it would add a discordant element to the host building to the detriment of the area's visual character notwithstanding the use of materials to match the existing building.
7. Views of the new addition from public vantage points would be limited given the position of the extension at the back of the property. As the proposal would project beyond the existing flank wall, it would be glimpsed from the road albeit within a narrow gap between two substantial buildings and when the side gate was open. In those circumstances, I doubt that the appeal scheme would noticeably unbalance the existing built form, unduly disrupt the pattern of existing development or have a discernable effect on the overall character of the local street scene to which No 17 belongs.
8. Nonetheless, the back of the appeal property forms part of the characteristics of the local area as it is experienced and appreciated from the houses and gardens of other properties, notably those on either side of the site. From these adjacent properties, the proposed extension would draw the eye as an uncharacteristically large addition and an unwelcome addition to the local area.
9. The proposal would be similar in height and depth compared to the extension at the rear of the attached property, which is 19 Chatsworth Gardens. From what I saw, this example serves to illustrate that sizeable extensions can have a significant impact on the character and appearance of the host building and the local area to which it belongs. As the extension at No 19 exemplifies some of my concerns it does not lend significant weight in support of the appeal.
10. On the first main issue I therefore conclude that the new extension would cause significant harm to the character and appearance of the local area. As such, it conflicts with Policy 7.4 of the London Plan (LP), Policies 7.4 and 7B of the Council's Development Management Development Plan Document (DPD) and SPD 4, Residential Extensions (SPD 4). These policies and guidance aim to ensure that development has a positive visual impact; complements the pattern and scale of buildings; respects the form and shape of the house; and does not appear dominant.

Living conditions of the occupiers of No 15

11. With the new built form in place, there would be a lengthy blank wall along part of the shared rear boundary with 15 Chatsworth Gardens. This adjacent property has ground floor windows in the rear elevation from which a considerable expanse of the new wall projecting above the boundary fence would be evident at close range. Due to the height, rearward projection and its proximity to the boundary, the new wall would materially reduce the outlook from the rear of No 15. When seen together with the upper part of the existing outbuilding in the back garden of No 17, which also abuts and projects well above the boundary fence with No 15, the proposal would also unacceptably increase the sense of enclosure for the neighbouring occupiers.

12. On the second main issue, I conclude that the proposed extension would cause significant harm to the living conditions of the occupiers of No 15. As such, it conflicts with LP Policy 7.6, DPD Policy 7B and SPD 4 insofar as they seek to safeguard residential amenity.

Living conditions of the occupiers of No 17

13. With the new rear extension in place there would be a small garden between the rear of the enlarged house and the front of the existing outbuilding. According to the Council, the resultant garden would be less than half the minimum level of 50sqm per house that is recommended in the Council's DPD and within SPD 4. The appellant has not contested this point. Given its modest size, the value and quality of the rear garden as an attractive area of useable private outdoor space that is screened away from road within which users could relax and enjoy would be much reduced.
14. For these reasons, the proposed development would not provide satisfactory living conditions for the occupiers of No 17. Accordingly, it conflicts DPD Policy 7D and SPD 4, which aim to ensure that development provides adequate garden and does not compromise the character or function of open space. ^[1]_{SEP}

Other matters

15. An interested party raises several additional concerns including the effect of the proposal on light, planting, encroachment onto the adjacent property and potential intrusion from those involved during the construction phase. These are all important considerations and I have taken into account all of the evidence before me. However, given my findings on each of the main issues these are not matters that have been critical to my decision.

Conclusion

16. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR